

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appl. No.: 10/743,412
Attorney Docket No.: Q79133

REMARKS

In the present Amendment, independent claim 1 has been amended to make express what was already implicit in the claim, namely, that the recited copolymer (A) and the compound (B) are different. The claim has thus been amended to recite that copolymer (A) and compound (B) are "separate and distinct components."

Section 112 support for the amendment is found, for example, in the original claim 1, which recited "(A)" (i.e., the copolymer) and "(B)" (i.e., the compound) separately. Additional support is found, for example, in the working Examples of the application, in which element (A) and element (B) are separate and distinct. In printing plates "A", the compound (B) having a sulfonamide group is incorporated in the lower heat-sensitive layer solution, see p. 83, while the copolymer (A) of the invention is incorporated in the upper heat-sensitive layer. See pp. 84-85. In printing plates "B," the compound (B) having a sulfonamide group and the copolymer (A) of the invention are incorporated in the same coating solution (Photosensitive layer coating solution 2), but they are still separate and distinct compounds. See pp. 85-86. See also Table 1 at page 90.

New claims 11 and 12 have been added. Section 112 support for claims 11 and 12 may be found, for example, in original claims 1 and 4, respectively.

Upon entry of the Amendment, which is respectfully requested, claims 1-12 will be pending.

In Paragraph No. 4 of the Action, claims 1-10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Miyake et al (EP 909 657 A2).

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Applicants submit that this rejection should be withdrawn because Miyake et al. EP '657 does not disclose or render obvious the infrared-sensitive lithographic printing plate of the present invention.

The Examiner states that examples of monomer (a-1) of Miyake et al include compounds represented by general formulas (IV) to (VIII), all of which allegedly meet the present limitations for compound (B). See Miyake et al at [0021]-[0023].

The Examiner next states that as copolymerization components, the monomers represented by general formulas (IX) to (XI), comprising an arylene group or aralkylene group, meet the present limitations for copolymer (A). See Miyake et al at [0024]-[0028].

It appears from Miyake et al's disclosure that the monomer (a-1) of Miyake et al and the monomers represented by general formulas (IX) to (XI) of Miyake et al are used in the same copolymer. The Examiner thus appears to assume that a single copolymer can satisfy both element (A) and element (B) of present claim 1. However, the present claims require that elements (A) and (B) of claim 1 be separate, i.e., different. Miyake et al does not disclose or render obvious the infrared-sensitive lithographic printing plate of the present invention, for at least the reason that Miyake et al does not disclose or suggest the use in the heat-sensitive layer of: (A) a copolymer having a monomer unit represented by formula (I) in claim 1, and (B) an alkali-soluble high molecular weight compound having a sulfonamide group, where copolymer (A) and compound (B) are different.

In view of the above, Applicants respectfully request that the §102(b) anticipation rejection of claims 1-10 based on Miyake et al EP '657 be reconsidered and withdrawn.

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In Paragraph No. 5 of the Action, claims 1-10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tomita et al (EP 1 219 464 A2).

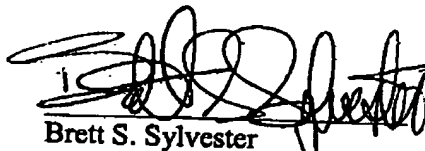
Applicants submit that this rejection should be withdrawn because Tomita et al EP '464 does not disclose or render obvious the infrared-sensitive lithographic printing plate of the present invention.

Tomita et al, like Miyake et al, does not specifically disclose, teach or suggest the feature of the present invention discussed above, namely, the requirement that the copolymer (A) having a monomer unit containing a carboxylic acid, represented by formula (I), and the high molecular weight compound (B) having a sulfonamide group, are different. For at least this reason, Tomita et al. does not disclose or render obvious the lithographic printing plate of the present invention.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the §102 anticipation rejection of claims 1-10 based on Tomita et al EP '464.

Allowance is respectfully requested.

Respectfully submitted,


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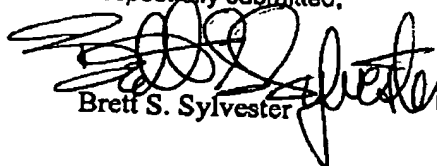
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CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that this Amendment Under 37 C.F.R. § 1.111 and the attached Petition For Extension of Time Under 37 C.F.R. § 1.136 and Fee Authorization are being facsimile transmitted to Examiner Barbara Lee Gilliam at the Patent and Trademark Office on July 7, 2005 at (703) 872-9306.

Respectfully submitted,


Brett S. Sylvester